

(Eddy, J)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKTROY ARDEN JULIAR, Individually And On  
Behalf Of All Others Similarly Situated,

Plaintiff,

v.

SUNOPTA INC., STEVEN BROMLEY, JOHN  
H. DIETRICH, and STEPHEN R. BRONFMAN,

Defendants.

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: MAR 06 2008

Case No. 08 CV 00933 (EAS)

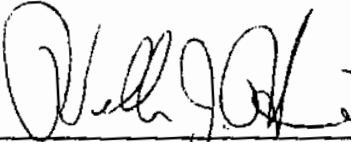
**STIPULATION AND ~~PROPOSED~~ ORDER****IT IS HEREBY STIPULATED AND AGREED** by and between the

undersigned counsel for the parties herein, that after the Court enters an order consolidating this action with any related securities class actions and appointing lead plaintiff and lead plaintiff's counsel, Defendants' counsel will confer with the court-appointed lead counsel regarding the schedule for the filing of a consolidated amended complaint and for the filing of Defendants' response to that complaint. Defendants will not be required to answer, move or otherwise respond to the complaint filed on or about January 28, 2008 in this action. By entering into this Stipulation, the parties have not waived and expressly retain all claims, defenses and arguments, whether procedural, substantive or otherwise (including any defenses Defendants may have as to lack of personal jurisdiction or improper service), and this Stipulation is without prejudice to any party's right to challenge any such claims, defenses or arguments. This Order is entered without prejudice to the rights of any party to apply for a modification of this Order for good cause.

STIPULATED AND AGREED:

Dated: New York, New York  
March 4, 2008

JONES DAY

By: 

Jayant W. Tambe (JT-0118)  
William J. Hine (WH-6766)  
222 East 41<sup>st</sup> Street  
New York, NY 10017  
(212) 326-3939  
*Attorneys for Defendants Sunopta, Inc.,  
Steven R. Bromley, John H. Dietrich and  
Stephen R. Bronfman*

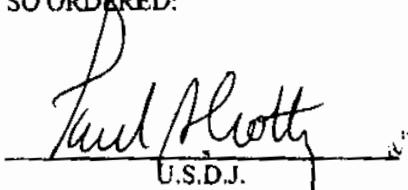
KAHN GAUTHIER SWICK, LLC

By: 

Kim E. Miller  
12 East 41<sup>st</sup> Street  
New York, NY 10017  
(212) 696-3730

*Attorneys for Plaintiff Troy Arden Julian*

SO ORDERED: MAR 05 2008

  
U.S.D.J.